

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellant(s): Wagner et al.

Examiner: P. Gambel

Serial No.: 09/436,076

Art Unit: 1644

Filing Date: November 8, 1999

For: METHOD FOR TREATING AND PREVENTING ATHEROSCLEROSIS

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Commissioner for Patents, Mail Stop Appeals, on 4/14/04.


Patricia McKenney

Mail Stop Appeal
Commissioner for Patents
P.O. 1450
Alexandria, VA. 22313-1450
ATTENTION: Board of Patent Appeals and Interferences

Sir:

APPELLANT'S BRIEF ON APPEAL

This is an appeal to the Board of Patent Appeals and Interferences (the "Board") from the decision of the Examiner finally rejecting claims 40, 41, 49-52, 59, 60 and 73, and is in furtherance of the Notice of Appeal filed on December 4, 2003, in this application. The appealed claims are as set forth in the attached Appendix. Provision for the payment of fees required for filing this brief, and any required extension of time for filing the brief, is submitted herewith. This brief is submitted in triplicate in accordance with the provisions of 37 C.F.R. §1.192(a).

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